

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

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|---------------------------------|---|------------------------------------|
| ROD BECKER, MATT BECKER, DWIGHT | § | |
| BECKER, DAVID KNAPP, KATY | § | |
| DOUGHTY, BOB SMITH, | § | CIVIL ACTION NO. 2:17-CV-00665-JRG |
| | § | |
| Plaintiffs, | § | |
| | § | |
| v. | § | |
| | § | |
| KENNETH M. KLEINKE, KMK OIL & | § | |
| GAS, INC., | § | |
| | | |
| Defendants. | | |

ORDER RELEASING GARNISHED FUNDS

Came on Plaintiffs/Garnishors Rod Becker, Matt Becker, Dwight Becker, David Knapp, Katy Doughty, and Bob Smith, which, following the filing of an Original Answer by Garnishee JPMorgan Chase Bank, N.A. (“Chase Bank”) in the original state court proceeding that was removed to this Court from case styled *Becker, et al. v. JP Morgan Chase Bank*, Cause No. 17-0518, 71st Judicial District Court, submitted the following agreed order herein. Defendant KMK Oil & Gas has previously filed for bankruptcy protection in cause number 17-20116 now pending in the United States Bankruptcy Court for the Eastern District of Texas. On August 23, 2017, said bankruptcy court entered an agreed order releasing all funds held by Garnishee and otherwise due to KMK Oil & Gas. The only remaining funds now held by Garnishee in this cause are those funds otherwise due to Defendant Ken Kleinke. Pursuant to the Parties’ agreement as evidenced hereby and based upon the Parties’ representations to the Court made as a part hereof, the Court is persuaded this order should be entered, and the corresponding funds should be released.

Therefore, it is **ORDERED** that pursuant to the terms of a confidential settlement agreement between Plaintiffs/Garnishors and Defendant Ken Kleinke, the writ of garnishment is hereby dissolved.

It is also **ORDERED** that JP Morgan Chase Bank is discharged of any further liability to Plaintiff/Garnishor and Judgment-Defendants to the extent of the funds garnished as a part of this action or the state court action.

If is further **ORDERED** that the Garnishment Bond executed by Plaintiffs be released and refunded to Plaintiffs.

It is further **ORDERED** that this Order disposes of all claims of the Parties and finalizes this case. The Clerk shall **CLOSE** this case; however, this Court shall retain jurisdiction over this matter as to any issue related to the enforcement of the Parties' settlement agreement. All other relief requested but not granted herein is hereby **DENIED AS MOOT**.

Judge Presiding

Approved as to form and substance:

Forman Law Firm, P. C.
/s/ Bryan Forman
Bryan T. Forman

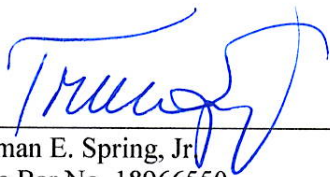
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and Bob Smith

Approved as to form and substance:

A handwritten signature in blue ink, appearing to read "Truman", is positioned above a horizontal line.

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